

DEPARTMENT OF TRANSPORTATION**DIVISION OF LOCAL ASSISTANCE**

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June 3, 2014

**CITIES AND COUNTIES IN CALIFORNIA
METROPOLITAN PLANNING ORGANIZATIONS
REGIONAL TRANSPORTATION PLANNING AGENCIES**

Dear Transportation Partners:

The purpose of this letter is to clarify how Form FHWA-1273 "Required Contract Provisions, Federal-aid Construction Contracts" is to be incorporated into the federal-aid construction contracts and subcontracts.

Federal Highway Administration (FHWA) requires that Form FHWA-1273 be physically included in all federal-aid construction contracts. Previously, this requirement was considered to be met by placing Form FHWA-1273 in the bid documents, e.g., standard specifications, contract special provisions or amendments. FHWA now requires that form FHWA-1273 be physically inserted, unmodified and in its entirety, into the **executed contract, i.e., the document that contains the signatures of the contracting agency and the contractor**, as well as into all subcontracts, except for purchase orders, rental agreements and other agreements for supplies or services.

It is strongly recommended that Form FHWA-1273 still be included in the aforementioned bid documents in order to inform prospective bidders of the required contract provisions.

If you have any questions, please contact your District Local Assistance Engineer.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Zhang".

RIHUI (RAY) ZHANG
Chief
Division of Local Assistance